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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:)	Case No. 2:22-bk-10454-nmc
)	
LUKE CESARETTI,)	Chapter 11
)	
Debtor.)	Hearing Date: N/A
)	Hearing Time: N/A

**UNITED STATES' EX PARTE APPLICATION
FOR RULE 2004 EXAMINATION OF DEBTOR**

Pursuant to Fed. R. Bankr. P. 2004 and LR 2004, the United States of America, on behalf of its agency, the Internal Revenue Service (IRS), applies for an order directing debtor Luke Cesaretti to appear for examination on a date that is after September 25, 2023. The date, time, and location of the examination will be provided in a subsequently issued subpoena.

Bankruptcy Rule 2004 provides that, on motion of any party in interest, the Court may order the examination of the debtor relating to such things as the acts, conduct, property, and financial condition of the debtor. The requested examination relates to such affairs.

Local Rule 2004 provides that orders for examination may be signed by the clerk if the date set for examination is more than 14 days from the date the motion is filed. Here, the date of examination will be more than 14 days after this filing (i.e., after September 25,

2023). Therefore, the Clerk may sign an order for the Rule 2004 examination of debtor.¹

WHEREFORE, the United States requests that the Clerk of the Court enter an order directing the debtor Luke Cesaretti to appear for examination.

Respectfully submitted this 11th day of September 2023.

JASON M. FRIERSON
United States Attorney

/s/ Patrick A. Rose
PATRICK A. ROSE
Assistant United States Attorney

PROOF OF SERVICE

I, Patrick A. Rose, certify that the **UNITED STATES' EX PARTE APPLICATION FOR RULE 2004 EXAMINATION OF DEBTOR** was served on all parties on this date via the Court's Electronic Case Filing system unless otherwise specified below.

Dated: September 11, 2023

/s/ Patrick A. Rose
PATRICK A. ROSE
Assistant United States Attorney

¹ While the United States will also seek documents from the debtor, LR 2004(c) provides that production of documents may not be obtained via an order under Fed. R. Bankr. P. 2004, but rather may be obtained by subpoena as provided in Fed. R. Civ. P. 45(a)(1)(C), as adopted by Fed. R. Civ. P. 9016.